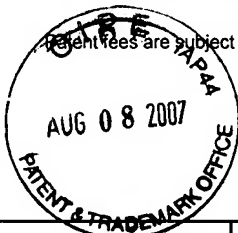


FEE TRANSMITTAL

Patent fees are subject to annual revision.

Complete If Known

Application Number	10/067,758
Filing Date	8 February 2002
First Named Inventor	SHANKAR, VIJAY
Examiner Name	To be Assigned
Group/Art Unit	2629
Attorney Docket No.	P54562RE

TOTAL AMOUNT OF PAYMENT

(\$)200.00**METHOD OF PAYMENT (check one)****1. ■ Payment Enclosed:****(CHECK #52906)**
☒ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ Other
☐ Charge Any Additional Fee Required Under 37 C.F.R. §1.16 and 1.17.☐ Applicant claims small entity status. See 37 CFR 1.27**2. ■ The Commissioner is hereby authorized to charge any deficiency and credit any over payments to:**Deposit Account Number: 02-4943**FEE CALCULATION**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
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EXTENSION OF TIME FEES

1251	120	2251	60	Extension for reply within first month	\$
1252	450	2252	225	Extension for reply within second month	\$
1253	1020	2253	510	Extension for reply within third month	\$
1254	1590	2254	795	Extension for reply within fourth month	\$
1255	2160	2255	1080	Extension for reply within fifth month	\$

APPEAL

1401	500	2401	250	Notice of Appeal	\$
1402	500	2402	250	Filing a brief in support of an appeal	\$
1403	1000	2403	500	Request for oral hearing	\$

CLAIMS

1201	200	2201	100	Independent claims in excess of 3	\$
1202	50	2202	25	claims in excess of 20	\$

Other Fee (specify) fee code 1011 Basic filing fee (Utility) \$Other Fee (specify) fee code 1111 Search fee (Utility) \$Other Fee (specify) fee code 1311 Examination fee (Utility) \$Other Fee (specify) fee code 1051 Surcharge - late filing fee or oath or declaration \$

Other Fee (specify) _____ \$

SUBTOTAL: LEFT COLUMN**\$0.00****FEE CALCULATION**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
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MISCELLANEOUS

1801	\$790	2801	\$395	Request for continued examination (RCE)	\$
1806	\$180			Submission of an IDS	\$
1814	\$130	2814	\$65	Statutory disclaimer	\$
8021	\$40			Recordation of assignment per property	\$

TRADEMARK

6001/7001		\$335	Application for registration, per class	\$
6002/7002		\$100	Amendment to Allege Use, per class	\$
6003/7003		\$100	Statement of Use, per class	\$
6004/7004		\$150	Request for six-month extension of time, per class	\$
6205/7205		\$100	\$8 affidavit, per class	\$
6208/7208		\$200	\$15 affidavit, per class	\$
6201/7201		\$400	Application for renewal, per class	\$
6403/7403		\$100	Ex parte appeal, per class	\$

PETITION

1462		\$400	Petitions to Director (Group I)	\$
1463		\$200	Petitions to Director (Group II)	\$200.00
1464		\$130	Petitions to Director (Group III)	\$
1452	\$500	2452	\$250	Petitions to revive unavoidably abandoned \$ application
1453	\$1500	2453	\$750	Petitions to revive unintentionally abandoned \$ application

PATENT MAINTENANCE

1551	\$900	2551	\$450	Due at 3.5 years	\$
1552	\$2300	2552	\$1150	Due at 7.5 years	\$
1553	\$3800	2553	\$1900	Due at 11.5 years	\$

Other Fee (specify) _____ \$

Other Fee (specify) _____ \$

Other Fee (specify) _____ \$

Other Fee (specify) _____ \$

Other Fee (specify) _____ \$

SUBTOTAL: RIGHT COLUMN**\$200.00****SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name

Robert E. Bushnell, Esq.

Reg. Number

27,774

Signature

Date

8 August 2007

Deposit Account User ID

REB/fw

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



PATENT
P54562RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUN-GEUN CHOI

Serial No.: 10/067,758

Examiner: SHANKAR, VIJAY

Filed: 8 February 2002

Art Unit: 2629

For: COLOR CURVE CONTROL CIRCUIT AND METHOD

PETITION UNDER 37 C.F.R. §1.47(a) and (b), §1.181 And §1.183

Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.47(b), Samsung Electronics Co., Ltd., a corporate entity chartered in and existing under the laws of the Republic of Korea, and maintaining its principal office at 416, Maetan-dong, Paldal-gu, Suwon-city, Kyungki-do, Republic of KOREA, respectfully petitions the Commissioner to receive the accompanying Declaration signed by duly authorized officer of Samsung Electronics Co., Ltd., and as reasons therefore, states that:

Folio: P54562RE

Date: 8/8/07

I.D.: REB/fw

08/09/2007 HANNED1 00000158 10067758

01 FC:1463

200.00 0P

STATEMENT OF FACTS

1. The above-captioned U.S. reissue patent application Serial No. 10/067,758 was filed on the 8th of February 2002.
2. Chun-Geun CHOI is the sole inventor of the subject matter disclosed and claimed in Korean priority application No. 20847/1996 filed in the Korean Intellectual Property Office on the 11th of June 1996.
3. For more than one (1) year prior to the filing of Korean priority application No. 20847/1996 on the 11th of June 1996, and until the sometime thereafter, Kwang-Su KIM was continuously employed as a full-time employee of Samsung Electronics Co., Ltd.
4. The subject matter described and claimed in the present application assigned U.S. Serial No. 10/067,758 was conceived and disclosed by the sole inventor, Mr. Chun-Geun CHOI to Samsung Electronics Co., Ltd. during his employment with Samsung Electronics Co., Ltd., and prior to his resignation from his employment with Samsung Electronics Co., Ltd.
5. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. is an employee of Samsung Electronics Co., Ltd., at 416 Maetan-dong, Paldal-gu, Suwon-city, Kyungki-do, Republic of Korea, personally knew the sole inventor, Chun-Geun CHOI, and set forth the following statements made of the Declarant's own knowledge as true.
6. The non-signing sole inventor, Chun-Geun CHOI resigned from his employment with Samsung Electronics Co., Ltd., on or about the 15th of July 2000.

7. Pursuant to 37 CFR §3.73(b)(1), Samsung Electronics Co., Ltd, is the owner of all of the right, title and interest in and to the above-captioned U.S. reissue application by virtue of an Assignment from the sole inventor, Mr. Chun-Geun CHOI of all right, title and interest in and to the parent U.S. patent application entitled *COLOR CURVE CONTROL CIRCUIT AND METHOD* assigned Serial No. 08/873,289, which issued as U.S. Patent No. 6,025,823 on the 15th of February 2000, from which the above-captioned reissue application was filed on the 8th of February 2002 and duly assigned Serial No. 10/067,758, which Assignment was recorded among the Assignment records of the United States Patent & Trademark Office on Reel No. 8748, at Frame No. 0366 on the 6th of October 1997.
8. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., confirmed that the sole inventor Mr. Chun-Geun CHOI had resigned from his employment with Samsung Electronics Co., Ltd., the Assignee of a substantial interest in the above-captioned U.S. Patent application.
9. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., confirmed that there is no record of the current address of the non-signing sole inventor, Mr. Chun-Geun CHOI available to Samsung Electronics Co., Ltd., and that there is no way known to the Declarant to have the Declaration signed by the non-signing sole inventor, Mr. Chun-Geun CHOI, because Mr. Chun-Geun CHOI had long prior resigned from his employment with Samsung Electronics Co., Ltd., and the Declarant has not been able to find Mr. Chun-Geun CHOI or to otherwise communicate with Mr. Chun-Geun CHOI at his address last known to the Declarant, Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea.
10. A Senior Manager and a duly authorized employee and representative of Samsung

Electronics Co., Ltd., pursuant to 37 C.F.R. §1.47 (a) and (b), made a diligent effort to reach the sole inventor by traveling to the home of Mr. Chun-Geun CHOI at the last known address of the Mr. Chun-Geun CHOI, and by attempting to contact Mr. Chun-Geun CHOI at Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea, with a complete copy of the above-captioned U.S. patent application Serial No. 10/067,758, together with the specification, claims, drawings, and Declaration of that application, to tell Mr. Chun-Geun CHOI that the application Serial No. 10/067,758 was an U.S. patent application which claimed priority under 35 U.S.C. §119 based on the earlier filed patent application Serial No. 20847/1996 filed in the Korean Intellectual Property Office, and to request Mr. Chun-Geun CHOI to read and review this U.S. patent application and to sign the annexed Declaration and Assignment.

11. A Senior Manager, and a duly authorized employee and representative of Samsung Electronics Co., Ltd., the Assignee of all right, title and interest in and to the above-captioned reissue application, personally visited the last known address of the non-signing sole inventor, Mr. Chun-Geun CHOI, Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea, and learned that Mr. Chun-Geun CHOI had moved from his last known address subsequent to the resignation of Mr. Kwang-Su KIM from his employment with Samsung Electronics Co., Ltd.
12. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. has unsuccessfully sought to obtain a reliable forwarding address of the non-signing sole inventor, Mr. Chun-Geun CHOI by orally requesting a forwarding address from the manager and caretaker who is resident at the last known address of Mr. Chun-Geun CHOI, namely at the residence known as Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of

Korea; the resident manager and caretaker stated that he had neither a forwarding address nor a mailing address for Mr. Chun-Geun CHOI.

13. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. sought to identify former co-workers of the non-signing sole inventor, Mr. Chun-Geun CHOI by questioning managers and individuals working in the same work unit where Mr. Chun-Geun CHOI had last been assigned during his tenure with the Assignee, but The Declarant was unable to find any manager or any individual within that work unit who has had contact with Mr. Chun-Geun CHOI since Mr. Chun-Geun CHOI resigned from his employment with the Assignee.
14. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. has determined that during his employment with the Assignee, Mr. Chun-Geun CHOI was furnished with an eMail address by the Assignee, and that after his resignation, that eMail address was terminated.
15. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. has unsuccessfully sought to obtain a reliable eMail address of the non-signing sole inventor, Mr. Chun-Geun CHOI.
16. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. has written a letter to Mr. Chun-Geun CHOI, and mailed that letter to Mr. Chun-Geun CHOI in an envelope, postage prepaid, addressed to Mr. Chun-Geun CHOI at his last known address, Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea, and requested Mr. Chun-Geun CHOI to either write, telephone or eMail a response to the Declarant in order that the Declarant might have an opportunity to arrange for Mr. Chun-Geun CHOI to read and review this U.S. patent application and to sign the annexed Declaration and

Assignment. That letter was returned to the Declarant by the Korean Postal Service with a stamped legend indicating that Mr. Chun-Geun CHOI was unknown at his last known address.

17. Due to the fact that the non-signing sole inventor, Mr. Chun-Geun CHOI is no longer employed by the Assignee, a Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. has had no access to or communication with Mr. Chun-Geun CHOI on a daily basis and has no other opportunity to request Mr. Chun-Geun CHOI to read and review the above-captioned U.S. patent application and to sign the annexed Declaration and Assignment.
18. On information and belief, and based upon prior person experience of a Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., personal and to government information about the non-signing sole inventor, Mr. Chun-Geun CHOI is not available to the a Senior Manager because such access is unavailable to and is routinely denied under the safeguards of privacy laws and national security restrictions placed upon such information.
19. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd. has performed an Internet search for Mr. Chun-Geun CHOI using the most popular Korean language Internet search engine, NAVER.COM., but received no "hits" as a result of that search.
20. The last known address of the non-signing sole inventor, Chun-Geun CHOI was Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea.
21. The subject matter disclosed and claimed in the above-captioned application, Serial

No. 10/067,758, was disclosed in patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office on the 11th of June 2006, and subsequently laid-open to the public

22. Samsung Electronics Co., Ltd. has invested several hundreds of millions of dollars in research, development and pre-production design of commercial products likely to embody the principles of the inventions disclosed and claimed in the above-captioned application, Serial No. 10/067,758, and disclosed in patent applications Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office, on the 11th of June 1996, and subsequently laid-open to the public.
23. On information and belief, Samsung Electronics Co., Ltd. will lose its right to claim priority under 35 U.S.C. §119 for the above-captioned application, Serial No. 10/067,758 due to the passage of more than one (1) year since the foreign filing of its priority patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office on 11th June 1996, and subsequently laid-open to the public, and will be thereby irreparable harmed unless allowed to proceed under either 37 CFR §1.47(a) or (b).
24. On information and belief, Samsung Electronics Co., Ltd. will lose its rights in the above-captioned application, Serial No. 10/067,758 due to the publication of patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office on the 11th of June 1996, and subsequently laid-open to the public, and will be thereby irreparable harmed unless allowed to proceed under either 37 CFR §1.47(a) or (b).
25. On information and belief, Samsung Electronics Co., Ltd. will lose its right to obtain patent protection in these United States for its aforesaid investment of several

hundreds of millions of dollars in research, development and pre-production design of commercial products likely to embody the principles of the inventions disclosed and claimed in the above-captioned application, Serial No. 10/067,758, and disclosed in patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office, and will be thereby irreparable harmed unless allowed to proceed under either 37 CFR §1.47(a) or (b).

26. A Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., pursuant to 37 C.F.R. §1.68, having been warned that willful full statements and alike are punishable by fine or imprisonment, or both under 18 U.S.C. §1001, and may jeopardize the validity of the application or any patent issuing thereon, states that all statements made in this Declaration made of the Senior Manager's own knowledge are true and that all statements made on information and belief are believed to be true.

REMARKS

Under 37 C.F.R. §1.47(a) and (b), when all of the inventors refuse to execute an application for a patent, or cannot be found or reached after diligent effort, the person to whom the inventor has assigned or agreed on writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, may make application for patent on behalf of and as agent for all the inventors. The subject matter described and claimed in the present application assigned U.S. Serial No. 10/067,758 was conceived and disclosed by the non-signing sole inventor, Mr. Chun-Geun CHOI, during their employment with Samsung Electronics Co., Ltd., and prior to the resignation of the non-signing sole inventor, Mr. Chun-Geun CHOI from his employment with Samsung Electronics Co., Ltd.

Samsung Electronics Co., Ltd. was the employer of the inventor during the conception and subsequent filing of both the Korean priority application Serial No. 20847/1996 on the 11th of June 1996. Samsung Electronics Co., Ltd. is an employer of several thousand individuals, and in multiple countries. Over the course of a typical one year period between the filing of a Korean priority application and subsequent filings in the United States, several hundred employees either resign or retire; frequently, upon resignation those employees often accept other employment elsewhere in either in Republic of Korea or in other countries which necessitates a move of their principal residence, while those employees who retire seldom maintain the same residential address. Both instances, the former employee is usually re-located to a geographic area and have no particular reason to maintain a current address with their former employer. Privacy laws prevent the Applicant here from obtaining assistance from the governmental agencies in efforts to locate former employees. As was established by the previously filed *Memorandum of Law* of Duke Y. CHOI, Esquire, ownership of the above-captioned U.S. Patent Application assigned Serial No. 10/067,758 vests in Samsung Electronics Co., Ltd., under Articles 37 and 38 of the Korean Industrial Property Act, by virtue of the employment of the sole inventor, Mr. Chun-Geun CHOI. Under 37 C.F.R. §1.47(b), Samsung Electronics Co., Ltd. has therefore of sufficient proprietary interest to sign the Declaration on behalf of, and as agent for the sole inventor, Mr. Chun-Geun CHOI.

In view of the inability of the Assignee to find or reach the inventor to execute a Supplemental Declaration for a patent, as attested to by the accompanying Declaration of the Declarant, a duly authorized officer of the sole Assignee, who demonstrated sufficient proprietary interest by Samsung Electronics Co., Ltd., the Commissioner is respectfully requested to pursuant to 37 §1.47(c) to send notice of the application to the sole inventor and to accept the accompanying Declaration of Samsung Electronics Co., Ltd. signed by a duly authorized officer of Samsung Electronics Co., Ltd., on behalf of the Assignee, and as agent for the sole inventor, Chun-Geun CHOI, as a full and sufficient supplemental declaration under 37 CFR § 1.175(b).

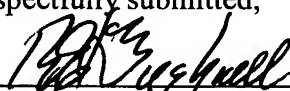
The fee incurred under 37 C.F.R. §1.17(h) accompanies this Petition.

RELIEF REQUESTED

The Commissioner is therefore, respectfully requested to:

- A. Suspend the Rules of Practice under the authority of 37 CFR § 1.183 and accept the accompanying Declaration signed by duly authorized representative of Samsung Electronics Co., Ltd. on behalf of the Assignee, Samsung Electronics Co., Ltd., and as agent for the sole inventor, Chun-Geun CHOI, in full satisfaction under 37 CFR § 1.175(b);
- B. Forward the above-captioned patent application to the Examining corp for passage of the application to issue; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P54562RE
Date: 8/8/07
I.D.: REB/fw



PATENT
P54562RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUN-GEUN CHOI

Serial No.: 10/067,758

Examiner: SHANKAR, VIJAY

Filed: 8 February 2002

Art Unit: 2629

For: COLOR CURVE CONTROL CIRCUIT AND METHOD


TRANSMITTAL OF DECLARATION IN SUPPORT OF PETITION
UNDER 37 CFR §1.47(a) and (b)

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

This transmittal accompanies the original executed Declaration in Support of Petition under 37 CFR §1.47(a) and (b) for the above-referenced application.

Respectfully submitted,


Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

Suite 300, 1522 "K" Street, N.W.
Washington, D.C. 20005
(202) 408-9040

Folio: P54562RE

Date: 8/8/07

I.D.: REB/fw



PATENT
P54562RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUN-GEUN CHOI

Serial No.: 10/067,758

Examiner: SHANKAR, VIJAY

Filed: 8 February 2002

Art Unit: 2629

For: COLOR CURVE CONTROL CIRCUIT AND METHOD

**DECLARATION IN SUPPORT OF
PETITION UNDER 37 C.F.R. §1.47(a) and (b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned Declarant, in support of the accompanying Petition pursuant to 37 C.F.R. §1.47(b), by Samsung Electronics Co., Ltd., a corporate entity chartered in and existing under the laws of the Republic of Korea, and maintaining its principal office at 416, Maetan-dong, Paldal-gu, Suwon-city, Kyungki-do, Republic of KOREA, respectfully states that:

Folio: P54562RE
Date: 8/8/07
I.D.: REB/fw

STATEMENT OF FACTS

1. The above-captioned U.S. reissue patent application Serial No. 10/067,758 was filed on the 8th of February 2002.
2. Chun-Geun CHOI is the sole inventor of the subject matter disclosed and claimed in Korean priority application No. 20847/1996 filed in the Korean Intellectual Property Office on the 11th of June 1996.
3. For more than one (1) year prior to the filing of Korean priority application No. 20847/1996 on the 11th of June 1996, and until the sometime thereafter, Kwang-Su KIM was continuously employed as a full-time employee of Samsung Electronics Co., Ltd.
4. The subject matter described and claimed in the present application assigned U.S. Serial No. 10/067,758 was conceived and disclosed by the sole inventor, Mr. Chun-Geun CHOI to Samsung Electronics Co., Ltd. during his employment with Samsung Electronics Co., Ltd., and prior to his resignation from his employment with Samsung Electronics Co., Ltd, assigned as a graduate engineer, to research an development.
5. The undersigned Declarant is an employee of Samsung Electronics Co., Ltd., at 416 Maetan-dong, Paldal-gu, Suwon-city, Kyungki-do, Republic of Korea, who did not personally know the sole inventor, Chun-Geun CHOI, and set forth the following statements made of the Declarant's own knowledge as true.
6. The non-signing sole inventor, Chun-Geun CHOI resigned from his employment with Samsung Electronics Co., Ltd., on or about the 15th of July 2000.

7. Pursuant to 37 CFR §3.73(b)(1), Samsung Electronics Co., Ltd, is the owner of all of the right, title and interest in and to the above-captioned U.S. reissue application by virtue of an Assignment from the sole inventor, Mr. Chun-Geun CHOI of all right, title and interest in and to the parent U.S. patent application entitled *COLOR CURVE CONTROL CIRCUIT AND METHOD* assigned Serial No. 08/873,289, which issued as U.S. Patent No. 6,025,823 on the 15th of February 2000, from which the above-captioned reissue application was filed on the 8th of February 2002 and duly assigned Serial No. 10/067,758, which Assignment was recorded among the Assignment records of the United States Patent & Trademark Office on Reel No. 8748, at Frame No. 0366 on the 6th of October 1997.
8. The undersigned Declarant, as a Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., confirmed that the sole inventor Mr. Chun-Geun CHOI had resigned from his employment with SamSung Electronics Co., Ltd., the Assignee of all interest in the above-captioned U.S. Patent application.
9. The undersigned Declarant, as a Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., confirmed that there is no record of the current address of the non-signing sole inventor, Mr. Chun-Geun CHOI available to Samsung Electronics Co., Ltd., and that there is no way known to the Declarant to have the Declaration signed by the non-signing sole inventor, Mr. Chun-Geun CHOI, because Mr. Chun-Geun CHOI had long prior resigned from his employment with Samsung Electronics Co., Ltd., and the Declarant has not been able to find Mr. Chun-Geun CHOI or to otherwise communicate with Mr. Chun-Geun CHOI at his address last known to the Declarant, Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea

10. The undersigned Declarant, as a Senior Manager and a duly authorized employee and representative of Samsung Electronics, Co., Ltd., pursuant to 37 C.F.R. §1.47 (a) and (b), made a diligent effort to reach the sole inventor by traveling to the home of Mr. Chun-Geun CHOI at the last known address of the Mr. Chun-Geun CHOI, and by attempting to contact Mr. Chun-Geun CHOI at Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea, with a complete copy of the above-captioned U.S. patent application Serial No. 10/067,758, together with the specification, claims, drawings, and Declaration of that application, to tell Mr. Chun-Geun CHOI that the application Serial No. 10/067,758 was an U.S. patent application which claimed priority under 35 U.S.C. §119 based on the earlier filed patent application Serial No. 20847/1996 filed in the Korean Intellectual Property Office, and to request Mr. Chun-Geun CHOI to read and review this U.S. patent application and to sign the annexed Declaration and Assignment.
11. The undersigned Declarant, as a Senior Manager, and a duly authorized employee and representative of Samsung Electronics Co., Ltd., the Assignee of all right, title and interest in and to the above-captioned reissue application, personally visited the last known address of the non-signing sole inventor, Mr. Chun-Geun CHOI, Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea, and learned that Mr. Chun-Geun CHOI had moved from his last known address subsequent to the resignation from his employment with SamSung Electronics Co., Ltd.
12. The Declarant has unsuccessfully sought to obtain a reliable forwarding address of the non-signing sole inventor, Mr. Chun-Geun CHOI by orally requesting a forwarding address from the manager and caretaker who is resident at the last known address of Mr. Chun-Geun CHOI, namely at the residence known as Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku,

Suwon-city, Kyungki-do, Republic of Korea; the resident manager and caretaker stated that he had neither a forwarding address nor a mailing address for Mr. Chun-Geun CHOI.

13. The Declarant sought to identify former co-workers of the non-signing sole inventor, Mr. Chun-Geun CHOI by questioning managers and individuals working in the same work unit where Mr. Chun-Geun CHOI had last been assigned during his tenure with the Assignee, but The Declarant was unable to find any manager or any individual within that work unit who has had contact with Mr. Chun-Geun CHOI since Mr. Chun-Geun CHOI resigned from his employment with the Assignee.
14. The Declarant has determined that during his employment with the Assignee, Mr. Chun-Geun CHOI was furnished with an eMail address by the Assignee, and that after his resignation, that eMail address was terminated.
15. The Declarant has unsuccessfully sought to obtain a reliable eMail address of the non-signing sole inventor, Mr. Chun-Geun CHOI.
16. The Declarant has written a letter to Mr. Chun-Geun CHOI, and mailed that letter to Mr. Chun-Geun CHOI in an envelope, postage prepaid, addressed to Mr. Chun-Geun CHOI at his last known address, Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea, and requested Mr. Chun-Geun CHOI to either write, telephone or eMail a response to the Declarant in order that the Declarant might have an opportunity to arrange for Mr. Chun-Geun CHOI to read and review this U.S. patent application and to sign the annexed Declaration and Assignment. That letter was returned to the Declarant by the Korean Postal Service with a stamped legend indicating that Mr. Chun-Geun CHOI was unknown at his last known address.

17. Due to the fact that the non-signing sole inventor, Mr. Chun-Geun CHOI is no longer employed by the Assignee, the Declarant has had no access to or communication with Mr. Chun-Geun CHOI on a daily basis and has no other opportunity to request Mr. Chun-Geun CHOI to read and review the above-captioned U.S. patent application and the Amendments filed therein, and to sign the annexed Declaration and Assignment.
18. On information and belief, and based upon prior person experience of the Declarant, personal and to government information about the non-signing sole inventor, Mr. Chun-Geun CHOI is not available to the Declarant because such access is unavailable to and is routinely denied under the safeguards of privacy laws and national security restrictions placed upon such information.
19. The Declarant has performed an Internet search for Mr. Chun-Geun CHOI using the most popular Korean language Internet search engine, NAVER.COM., but received no "hits" as a result of that search.
20. The last known address of the non-signing sole inventor, Chun-Geun CHOI was Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-ku, Suwon-city, Kyungki-do, Republic of Korea.
21. The subject matter disclosed and claimed in the above-captioned application, Serial No. 10/067,758, was disclosed in patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office on the 11th of June 1996, and subsequently laid-open to the public.
22. Samsung Electronics Co., Ltd. has invested several hundreds of millions of dollars in research, development and pre-production design of commercial products likely to embody the principles of the inventions disclosed and claimed in the above-captioned application, Serial No.

10/067,758, and disclosed in patent applications Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office, on the 11th of June 1996, and subsequently laid-open to the public.

23. On information and belief, Samsung Electronics Co., Ltd. will lose its right to claim priority under 35 U.S.C. §119 for the above-captioned application, Serial No. 10/067,758 due to the passage of more than one (1) year since the foreign filing of its priority patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office on 11th June 1996, and subsequently laid-open to the public, and will be thereby irreparable harmed unless allowed to proceed under either 37 CFR §1.47(a) or (b).
24. On information and belief, Samsung Electronics Co., Ltd. will lose its rights in the above-captioned application, Serial No. 10/067,758 due to the publication of patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office on the 11th of June 1996, and subsequently laid-open to the public, and will be thereby irreparable harmed unless allowed to proceed under either 37 CFR §1.47(a) or (b).
25. On information and belief, Samsung Electronics Co., Ltd. will lose its right to obtain patent protection in these United States for its aforesaid investment of several hundreds of millions of dollars in research, development and pre-production design of commercial products likely to embody the principles of the inventions disclosed and claimed in the above-captioned application, Serial No. 10/067,758, and disclosed in patent application Serial No. 20847/1996 earlier filed in the Korean Intellectual Property Office, and will be thereby irreparable harmed unless allowed to proceed under either 37 CFR §1.47(a) or (b).

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26. The Declarant, pursuant to 37 C.F.R. §1.68, having been warned that willful full statements and alike are punishable by fine or imprisonment, or both under 18 U.S.C. §1001, and may jeopardize the validity of the application or any patent issuing thereon, states that all statements made in this Declaration made of the Declarant's own knowledge are true and that all statements made on information and belief are believed to be true.

AND FURTHER, the Declarant sayeth not.

August 7, 2007
(date)

Kabtae Han (Seal)
(Signature)

Name: Kabtae HAN

Title: Principal Engineer

Samsung Electronics Co., Ltd.



PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUN-GEUN CHOI

Serial No.: 10/067,758

Examiner: SHANKAR, VIJAY

Filed: 8 February 2002

Art Unit: 2629

For: COLOR CURVE CONTROL CIRCUIT AND METHOD


TRANSMITTAL OF DECLARATION

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

This transmittal accompanies the original Supplemental Reissue Application Declaration by the Assignee for the above-referenced application.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

Suite 300, 1522 "K" Street, N.W.
Washington, D.C. 20005
(202) 408-9040

Folio: P54562RE
Date: 8/8/07
I.D.: REB/fw



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**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**Docket Number (optional)
P54562RE

I hereby declare that:

My residence and post office address and citizenship are stated below next to my name.

I am authorized to act on behalf of the following assignee: SAMSUNG ELECTRONICS CO., LTD.and the title of my position with said assignee is: Kabtae HAN (Principal Engineer).

The entire title to the patent identified below is vested in said assignee.

Name of Inventor(s): CHUN-GEUN CHOI

Patent Number: 6,025,823

Date of Patent Issued: 15 February 2000

Title of Invention: COLOR CURVE CONTROL CIRCUIT AND METHOD☐ Additional Inventors are named on separately numbered sheets attached hereto.I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: COLOR CURVE CONTROL CIRCUIT AND METHOD, the specification of which☐ is attached hereto.☒ was filed on 8 February 2002 as reissue application number 10/067,758, and was amended on 6/01/2004, 4/25/2005, and 12/29/2005. (If applicable)☒ I hereby claim foreign priority benefits under Title 35, U.S. Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, or §119(e) of any United States provisional application(s), listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(Application Number)	(Country)	(Day/Month/Year filed)	Priority Claimed
<u>20847/1996</u>	<u>Republic of Korea</u>	<u>11 June 1996</u>	Yes [X] No []
<u>(Application Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year filed)</u>	Yes [] No []

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

Pursuant to 37 C.F.R. §1.175, I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**Docket Number (optional)
P54562RE

- by reason of a defective specification or drawings.
- by reason of the patentee claiming more or less than he had the right to claim in the patent.
- by reason of other errors.

Pursuant to 37 C.F.R. §1.175, the Applicant believes the original aforesaid patent to be wholly or partly inoperative or invalid by reason of a defective specification or drawings, and by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.

By way of an example, and in compliance with §1414.(B) and (C) and §1414.01 of the *Manual of Patent Examining Procedure*, 8th Ed., Rev. 5 (Aug. 2006), claims 1 through 8 define embodiments of Applicant's inventions in terms of "a digital to analog converter" and the foregoing word, phrase, or expressing in an original claim may be considered to unnecessarily narrow the scope of coverage of Applicant's inventions secured by these claims and render the original patent wholly or partly inoperative or invalid. In further compliance with §1414.(B) and (C) and §1414.01 of the *Manual of Patent Examining Procedure*, 8th Ed., Rev. 5 (Aug. 2006), specific corrective action is taken in this reissue application by presenting independent apparatus claim 39 without definition of "a digital to analog converter." By way of a second example, none of apparatus claims 1 through 8 provide a broad definition of any of Applicant's disclosed processes.

None of apparatus claims 1 through 8 provide broad definition of any of Applicant's disclosed processes. Accordingly, independent method claims 9, 12, 13, 15, and 16 broadly define Applicant's disclosed processes in terms of a combination of steps including the color temperatures and gain and cut-off values. Moreover, neither of Applicant's apparatus claims 1 or 5 broadly defined Applicant's control circuit; Accordingly, apparatus claim 39 is presented to broadly define the control circuit in terms of the combination of the input unit and microcomputer. As presented, claims 9 through 73 remedy the foregoing errors and correct the inoperativeness and defectiveness by providing a broader coverage of Applicant's disclosed invention.

I hereby declare that every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

Specifically, regarding claim 9, the claim has been amended for the purpose of clarity to include the limitations of entering a color temperature value within said selected range; and storing certain color gain and cut-off data of the determined gain and cut-off data. The claim was also amended for any antecedent basis because of the above amendment.

Regarding claim 11, the claim has been amended to correct for antecedent basis because of the amendment to claim 9. Claim 11 was amended to include said entering the color temperature value.

Regarding claim 12, the claims has been amended for the purpose of clarity to include the limitations of inputting a user selected color temperature value within said selected range; and storing color gain and cut-off data corresponding to the selected range. The claim was also amended for any antecedent basis because of the above amendment.

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**Docket Number (optional)
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Regarding claim 13, the claims has been amended for the purpose of clarity to include the limitations of receiving a color temperature value; and storing gain and cutoff values of said range. The claim was also amended for any antecedent basis because of the above amendment.

Regarding claim 32, the claims has been amended for the purpose of clarity to include the limitation of storing the determined gains and cutoff values of the plurality of color data signals; entering a color temperature within said set temperature range. The claim was also amended for any antecedent basis because of the above amendment.

With regard to 37CFR§1.173(c), the following includes an explanation of the support in the disclosure of the patent for amended claims 9, 11-13 and 32. The amended claims 9, 11-13 and 32 are supported as a whole by Figures 1 through 3 and the entire specification of the present patent. Specifically, for example, amended claims 9, 11-13 and 32 are method claims that are supported for example by figure 3 and the corresponding disclosure in the specification (*e.g.*, col. 5, line 39 to col. 7, line 21).

I hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



PTO/SB/52 (08-99)

Approved for use through 9/30/00. OMB 0651-0033
patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**

 Docket Number (optional)
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In accordance with 37 C.F.R. § 1.178(a), as amended, the application for reissue of a patent shall constitute an offer to surrender that patent, and the surrender shall take effect upon reissue of the patent.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

Robert E. Bushnell

Registration Number

27,774

Correspondence Address: Direct all communications about the application to:

☐ Customer Number **008-439**
☐ Firm or Individual Name
ROBERT E. BUSHNELL AND LAW FIRM

Address

1522 K Street, N.W., Suite 300,

City

Washington

State

D.C.

Zip

20005-1202

Country

U.S.A.

Telephone

(202) 408-9040

Fax

(202) 289-7100

The undersigned officer of the Assignee, is duly authorized to make this Declaration, and has examined the documents of title, and determined that Samsung Electronics Co., Ltd., the assignee of U.S. Patent No. 6,025,823 by virtue of an Assignment from all inventors recorded in the U.S. Patent & Trademark Office at Reel No. 8748, at Frame No. 0366 on the 6th day of October 1997, consents to the filing of this reissue application for the reissue of U.S. Patent No. 6,025,823.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Assignee**Kabtae HAN (Principal Engineer)**

Signature

Kabtae Han

Date

*August 7, 2007*Address of Assignee:**416 Maetan-dong, Yeongtong-gu, Suwon-si, Gyeonggi-do, 442-742,
Republic of Korea**

Patentee

CHUN-GEUN CHOI

Citizenship: Republic of Korea

 Residence/Post Office Address: **Jukong Apt. 27-109 176 Maetan 1-dong, Paldal-gu, Suwon-si, Kyungki-do,
Republic of Korea**
☐ Additional joint inventors are named on separately numbered sheets attached hereto.

[Page 4 of 4]



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUN-GEUN CHOI

Serial No.: 10/067,758

Examiner: SHANKAR, VIJAY

Filed: 8 February 2002

Art Unit: 2629

For: COLOR CURVE CONTROL CIRCUIT AND METHOD


TRANSMITTAL OF MEMORANDUM OF LAW IN SUPPORT OF
A PETITION UNDER 37 CFR §1.47(b)

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

This transmittal accompanies the original executed Memorandum of Law in Support of a
Petition under 37 CFR §1.47(b) for the above-referenced application.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

Suite 300, 1522 "K" Street, N.W.
Washington, D.C. 20005
(202) 408-9040

Folio: P54562RE
Date: 8/8/07
I.D.: REB/fw



PATENT
P54562RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUN-GEUN CHOI

Serial No.: 10/067,758

Examiner: SHANKAR, VIJAY

Filed: 8 February 2002

Art Unit: 2629

For: COLOR CURVE CONTROL CIRCUIT AND METHOD

**MEMORANDUM OF LAW IN SUPPORT OF
A PETITION UNDER 37 C.F.R. §1.47(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Duke Y. CHOI, Esquire, an attorney regularly registered by and in practice before the Korean Intellectual Property Office for the Republic of Korea, who maintains his law offices at Taekang-Bldg. 3F., 823-8 Yuksam-dong, Kangnam-ku, Seoul, 135-080, Republic of Korea, in support of the accompanying Petition filed pursuant to 37 C.F.R. § 1.47(b), by Samsung Electronics Co., Ltd., a corporate entity chartered in and existing under the laws of the Republic of Korea, and maintaining its principal office at 416, Maetan-dong, Paldal-gu, Suwon-city, Kyungki-do, Republic of Korea, respectfully petitions the Commissioner to receive the accompanying Declaration signed by duly authorized Officer of Samsung Electronics, Co., Ltd., states that:

Folio: P54562RE
Date: 8/8/07
I.D.: REB/fw

STATEMENTS

This statement is to certify that the ownership of the invention, "*COLOR CURVE CONTROL CIRCUIT AND METHOD*" belongs to Samsung Electronics, Co., Ltd. under Articles 37 and 38 of the Korean Patent Law because the present invention was invented during the period of employment of the sole inventor, Mr. Chun-Geun CHOI, by staying as Samsung Electronics, Co., Ltd.

The subject invention was filed with the U.S. Patent & Trademark Office on THE 8th of February 2002 claiming priority based upon Korean patent application Serial No. 20847/1996 filed in Korea on the 11th of June 2007.

The statutory law of the Republic of Korea governing the ownership of domestic and foreign patent rights is set forth in Articles 37 [Transfer of the Right to Obtain a Patent] and 38 [Succession to the Right to Obtain a Patent], which state:

Article 37 [Transfer of the Right to Obtain a Patent]

- (1) The right to obtain a patent may be transferred.
- (2) The right to obtain a patent shall not be the subject of a pledge.
- (3) In the case of joint ownership of the right to obtain a patent, a joint owner shall not assign his share without the consent of all the other joint owners.

Article 38 [Succession to the Right to Obtain a Patent]

- (1) The succession to the right to obtain a patent before the filing of the patent application shall not be effective against third persons unless the successor in title files the patent application.
- (2) Where two or more applications for a patent are filed on the same date on the basis of a right to obtain a patent for the same invention derived by succession

from the same person, the succession to the right to obtain the patent by any person other than the one agreed upon by all the patent applications shall not be effective.

(3) Paragraph (2) shall also apply where a patent application and a utility model application are filed on the same date, on the basis of the right to obtain a patent and utility model registration for the same invention and device which has been derived by succession from the same person.

(4) The succession to the right to obtain a patent after the filing of the patent application shall not be effective unless the applicant files a notice of change of applicant, except in the case of inheritance or other general succession.

(5) Upon inheritance or other general succession with respect to the right to obtain a patent, the successor in title shall notify the Commissioner of the Korean Industrial Property Office accordingly without delay.

(6) Where two or more notifications are made on the same date, on the basis of a right to obtain a patent for the same invention that has been derived by succession from the same person, a notification made by any person other than the one agreed upon after consultations among all the persons who made notifications shall not be effective.

(7) Article 36(6) shall apply *mutatis mutandis* to the cases under paragraphs (2), (3) or (6).

The accompanying Declaration by a co-worker employed by Samsung Electronics, Co., Ltd., who has personal knowledge of the facts, establishes that the subject matter disclosed claimed in the application assigned U.S. Serial No. 10/067,758 filed in the U.S. Patent & Trademark Office on 8th of February 2002, was conceived during the employment of the sole inventor, Mr. Chun-Geun CHOI by Samsung Electronics, Co., Ltd., prior to his resignation from that employment.

Based upon examination of the precedent set forth in judicial and statutory law of the Republic of Korea, and my familiarity of the law of the Republic of Korea, that a code of

competent jurisdiction with Republic of Korea would, by the weight of authority in the Republic of Korea, award title to the invention disclosed and claimed in U.S. Serial No. 10/067,758 to Samsung Electronics, Co., Ltd., under Articles 37 and 38 reproduced above.

Respectfully submitted,

August 7, 2007
Date:

Duke Y. Choi
Duke Y. CHOI
Attorney for the Applicant